

GOVERNMENT OF TALANGANA
ABSTRACT

T.S. Forest Conservation Act – Diversion of 4.4605 Ha of forest land in compartment No.586 and 588 of Jakaram-I RF, Mulugu Range, Warangal North Division, for Mining lease of Laterite in favour of Sri V. Prabhakara Rao.
– Final (stage-II) approval – Accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Ms.No. 10

Dated: 12-03-2019

Read the following:-

1. From PCCF (HoFF), T.S., Hyd., Lr.Rc.No.33766/2012-FCA 2/TS, Dated:06.01.2015.
2. Govt. Letter No.244/For.I (1)/2015, EFS&T (For.I) Dept. Dt.26.03.2015.
3. From Govt. of India, MoEF&CC, Chennai F.No.4-TSB006/2017-CHN/1563, Dt.28.09.2017.
4. From PCCF (HoFF), T.S., Hyd., Lr.Rc.No.33766/2012-FCA2, Dated:26.09.2018.
5. Govt. Letter No.244/For.I (1)/2015, EFS&T (For.I) Dept., Dated:08.10.2018.
6. From Govt. of India, MoEF&CC, Chennai F.No.4-TSB006/2015-CHN/1940, Dt:13.12.2018.

ORDER

In his letter 1st read above, the Principal Chief Conservator of Forests (HoFF), T.S. Hyderabad has furnished a proposal for diversion of 4.4605 Ha of forest land in compartment No.586 and 588 of Jakaram-I RF, Mulugu Range, Warangal North Division, for Mining lease of Laterite in favour of Sri V. Prabhakara Rao..

2. In their letter 3rd read above, the Ministry of Environment, Forests & Climate Change, Government of India, Chennai have granted in-principle (Stage-I) approval for the proposal forwarded vide letter 2nd read above, subject to fulfillment of the conditions stipulated thereof.

3. In the letter 5th read above, Government of Telangana have sent the report of compliance on the conditions stipulated by Government of India, as submitted by the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad in his letter 4th read above, to the Ministry of Environment, Forests & Climate Change, Chennai for according necessary approval.

4. In their letter 6th read above, the Central Government have granted final approval for the proposal in para 1 above, under Section 2 of the Forest (C) Act, 1980, subject to fulfillment of the conditions stipulated therein.

5. Accordingly, Government hereby accord **final (Stage-II)** approval for diversion of 4.4605 Ha of forest land in compartment No.586 and 588 of Jakaram-I RF, Mulugu Range, Warangal North Division, for Mining lease of Laterite in favour of Sri V. Prabhakara Rao under section-2 of the Forest Conservation Act, 1980, subject to fulfillment of the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation in identified non-forest land over an extent of 4.735 ha of non-forest land in Sy. No.186 & 187 of Kavar Kothapally (V) of Kotapally Mandal in Adilabad District which is adjacent to Compt. No.333 of RF in Yanchapally RF, Shall be raised and maintained by the State Forest Department from the funds which has already been realized from the User Agency;

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- (iii) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;
- (iv) The non-forest land indentified for raising compensatory afforestation which has been transferred and mutated in favour of the State Forest Department shall be notified by the State Government as Reserve Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, or under the relevant Section(s) of the State Forest Act latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification to the Central government for information and record;
- (v) User Agency shall not use the forest land proposed for diversion and the nearby forest area for dumping, the overburden. Dumping of the overburden shall be done in identified non forest area and the overburden shall be filled back to reclaim the mined out areas;
- (vi) The mining lease adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the State Forest Department from the amount which has already been realized from the User Agency to protect the vegetation/regeneration activities in the safety zone;
- (vii) Safety zone shall be maintained as green belt around the mining lease and to ensure dense conopy cover in the area, regeneration activity shall be taken in this area by the State Forest Department from the amount which has already been realized from the User Agency;
- (viii) State Forest Department shall carry out afforestation and its maintenance on degraded forest land, to be selected elsewhere measuring one and half times the area of forest land under safety zone from the amount which has already been realized from the User Agency. Map along with DGPS co-ordinates of the degraded forest area shall be furnished to this office within three months from the date of issue of this order;
- (ix) The State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forest (having crown density less than 0.4), located in the area within 100 meters from outer perimeter of the mining lease from the amount which has already been realized from the User Agency;
- (x) User Agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency in a phased manner as per the approved mining plan/scheme and an annual report on implantation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Telangana and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (South Eastern Zone), Chennai. If it is found from the annual report that the activities indicated in the concurrent reclamation

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- (xi) plan are not being executed by the User Agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xii) The User Agency shall ensure stabilization of the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28° ;
- (xiii) The mining shall be done in the forest area in accordance with the approved mining plan from the competent authority and mining area shall not be opened up haphazardly;
- (xiv) Period of diversion of the forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015, or Rules framed there under whichever is earlier;
- (xv) User Agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xvi) The consent of State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed annually;
- (xvii) No labour camps shall be established on the forest land. User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central government;
- (xix) As the area is located on the top of the hillock, to avoid soil erosion a deep trench/stones wall may be provided all along the periphery of the proposed area at the cost of User Agency;
- (xx) The User Agency and the State government shall ensure compliance to all the Acts, Rules, Regulations and Guidelines of the Ministry, for the time being in force, as applicable to such project;
- (xxi) The forest land shall not be used for any purpose other than that specified in the proposal and total forest area utilized for the project shall not exceed 4.4605 ha (including safety zone area);
- (xxii) The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government;
- (xxiii) A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the Forest (Conservation) Act, 1980 shall be revoked;

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(xxiv) The User Agency shall submit the annual self compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;

(xxv) Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency;

(xxvi) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai;

6. The Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

Copy to:

Sri V. Prabhakara Rao, H.No. 7-1-469,
Mankammathota, Karimnagar.
(User Agency.)

The Addl. Prl. Chief Conservator of Forests (C),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034.
SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER